

Administrative Regulation

Personnel Commission, Meeting of

A. Regular Meetings

Subject to cancellation or proper notice of change, the Personnel Commission shall meet at times and places determined by the Commission. When the regular meeting date falls on a holiday, the Commission shall meet on the next succeeding business day unless, at a prior regular meeting, it designates an alternate date.

B. Special Meetings

Special meetings may be called at any time by the Commission Chair, or upon the request of any two Personnel Commissioners. Written notice shall be delivered personally, or by mail, to each member of the Commission at least 24 hours before the time of the meeting set forth in the notice and to each of the following, who have filed requests for such notice: local newspapers of general circulation, radio or television stations, representatives of any recognized employee organizations, the Superintendent of Schools or the designee. The written notice shall specify the date, time, and place of the special meeting and the business to be transacted. No other business may be considered at that meeting. The notice shall also be posted 24 hours before the meeting on the bulletin board accessible to the public and on the Commission's web page.

C. Adjourned Meetings

The Commission may adjourn any meeting to a date, time, and place specified in the order of adjournment, or whenever the lack of a quorum of commissioners (2) exists to conduct business. A regular or adjourned regular meeting, adjourned according to these procedures, is deemed to be a regular meeting when reconvened, for all intents and purposes.

D. Continued Hearings

The Commission may continue any hearing being held, noticed, or ordered to be held to a subsequent date, time, and place, subject to the same procedures as an adjourned meeting. If the hearing is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or notice of hearing continuance shall be posted immediately on or near the door of the place the meeting to be continued was held.

E. Agenda and Supporting Data

At least 72 hours prior to any regular meeting, or 24 hours prior to any special meeting, the agenda containing a brief general description of each item of business to be discussed or transacted shall be posted on a bulletin board accessible to the public and the Commission web page, and shall state the date, time, and location of the meeting. On the date of posting, copies of the agenda shall also be distributed to each school and department for posting.

Copies of the agenda and, to the extent possible, supporting data, shall be distributed to each Commission member, the superintendent or designated representative, and the representatives of recognized employee organizations and news media which have submitted written request for such. A copy of the agenda and supporting data shall be available for employee and public inspection in the Office of the Personnel Commission as soon after posting the agenda as practicable.

Agenda items submitted by administration, employees, or the public shall be submitted to the Personnel Director fourteen (14) calendar days before the meeting at which the Commission is requested to take action on the item. This timeline will permit Commission staff to research information and prepare a staff recommendation on the item to facilitate a fully informed and timely Commission decision.

F. Conduct of Meetings

1. All regular and special meetings of the Commission shall be open to the public, and all persons shall be permitted to attend, except as provided in Commission Rule 4210.2-G. This rule shall not be construed as authorizing employees to be absent from duty for attendance at

Personnel Commission meetings unless they have specific business before the commission.

2. At all regular meetings, the public shall be provided an opportunity to address the Commission on items not on the agenda. A time limit of five (5) minutes shall apply to each individual addressing the Commission, unless waived by a majority vote of the Commission.
  - a. The Commission may briefly respond to statements made or questions posed by persons exercising their public testimony rights.

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- b. The Commission may ask clarifying questions or provide the individual information or direction on how to have their question answered.
  - c. The Commission may not discuss, deliberate, nor take action on items brought forth under the public testimony portion of the meeting.
  - d. The Commission may direct staff to investigate and report back to the Commission at a subsequent meeting concerning any matter.
  - e. The Commission, or any member of the Commission, may direct staff to place a matter of business on a future agenda.
3. Action on Agenda Items
- a. A majority vote of the Commission is required for all actions taken.
  - b. Secret ballots are not permitted, whether preliminary or final.
  - c. Prior to taking action on agenda items, the public shall be permitted to address the commission concerning the item. In order to facilitate the orderly progress of the meeting, a time limit of five (5) minutes may be imposed on individuals addressing the Commission on agenda items.
  - d. No discussion, deliberation, or action may be taken on any item not appearing on the posted agenda, except as permitted by Commission Rule 4210.2-F.4.
4. The posted agenda may be amended at a meeting, as follows:
- a. Upon determination by a majority vote of the Commission that an emergency situation exists (Govt. Code 54956.5), i.e., work stoppage, crippling disaster, etc.
  - b. Upon determination by a majority vote of the Commission that there is a need to take immediate action and that the need for action came to the attention of the Commission office subsequent to the agenda being posted.

- c. The item was posted for a prior meeting of the Commission occurring no more than five (5) calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

G. Closed Session

Closed sessions may be held at any properly noticed meeting of the Commission. The public and news media are excluded from closed sessions. All items for discussion, deliberation, or action in closed session must be stated in general terms on the posted agenda for the meeting, including the specific government code authorizing the items to be discussed in closed session.

1. Authorized reasons for a closed session of the Personnel Commission:
  - a. Personnel exemption from open meeting to discuss employee appointment/employment, employee performance evaluation, employee discipline (Govt. Code 54957)
  - b. Pending litigation pursuant to Government Code Section 54956.9
  - c. The Commission, individually or as a body, may meet in closed session with a Grand Jury to give testimony in conjunction with a Grand Jury investigation pursuant to Government Code Section 54953.1.
2. Closed Session Procedures
  - a. Prior to entering closed session, the Commission shall disclose the item or items to be discussed in the closed session by number or letter as referenced in the agenda.
  - b. The Commission may only discuss the item, or items, listed on the agenda.
  - c. A record of each Commissioner's vote taken on closed session items shall be kept, including ayes, noes, and abstentions.
  - d. Upon reconvening in open session, the Commission shall announce actions taken and the vote of all members present.

H. Communications

Communications and requests directed to the Commission shall, insofar as practicable, be in writing. Communications and requests shall be acknowledged and replied to, noting official Commission action when appropriate.

I. Amendment, Deletion, or Addition to Rules

All proposals from any source to amend, delete, or add to these rules will be considered a “first reading” at the meeting in which they are first presented to the Commission. They will not, unless a critical emergency exists, be acted upon at that meeting.

At the “first reading,” the Commission will set a date for Commission action on the proposal and will instruct the personnel director to refer the proposal to interested persons or organizations for comment and recommendation.

Insofar as possible, interested parties shall submit their comments regarding proposals in writing on or before the stipulated agenda deadline date and shall have the right to submit comments to the Commission orally at the appropriate Commission meeting.

J. Minutes

Minutes shall be written and presented for correction and approval at the next regular meeting and shall show the time and place of each meeting, the names of the Commissioners present, and all official acts of the Commission. When requested, a Commissioner’s dissent or approval, and the reasons, shall be recorded. The minutes or a true copy thereof shall be open to public inspection, and copies shall be distributed to recognized employee organization representatives who have requested them.

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Ref: EC Sections 45260, 45261  
Govt. Code Sections 54950, et seq.

Approved: February 3, 1977  
Revised: August 27, 1979  
Revised: March 4, 1986  
Revised: May 4, 1999  
Reviewed: July 1, 2000  
Revised: May 4, 2011